

**OPR 5-03-3**

**RESPONSE PROTOCOLS FOR ACTIVE ASSAILANT**

A. Characteristics: The following is a list of characteristics commonly associated with active assailant suspects. The list is compiled from descriptions of past active assailants and not meant to be a comprehensive list describing all active assailants; each situation is unique.

1. Active assailants usually focus on attacking persons they have contact with.
2. An active assailant is likely to attack multiple targets. Active assailants may be intent on killing a number of people as quickly as possible.
3. Generally, the first indication of the presence of an active assailant is when he or she begins attacking.
4. Active assailants often go to locations where potential victims are close at hand, such as schools, theaters, concerts or shopping malls. They may choose a stationary position or remain mobile. In either case, they attack multiple targets.
5. Tactics such as containment and negotiation, normally associated with a barricaded suspect are rarely adequate in active gunman events. Active assailants typically continue or even intensify their attack despite the arrival of emergency responders.
6. Active assailants are often better armed than the police, sometimes making use of explosives, booby traps and body armor. They do not limit themselves to firearms when attacking, they may transition between bladed weapons, vehicles, or any tool that, in the circumstance in which it is used, constitutes deadly physical force.
7. Active assailants may have a planned attack and be prepared for a sustained confrontation with officers. Often, active assailants don't make attempts to hide their identity, conceal the commission of their attacks or escape.
8. Active assailants may employ some type of diversion.
9. Active assailants may be indiscriminate in their violence or they may seek specific victims based on characteristics relevant to them.
10. Active assailants may be suicidal, choosing to die in the course of their actions either at the hand of others or by self-inflicted wound.
11. Active assailants usually have some degree of familiarity with the building or location they choose to occupy.
12. Active gunman events are dynamic and may go in and out of an "active" status; a static incident may turn into an active gunman event or an active gunman may go "inactive" by going to a barricaded status without access to victims.

B. Officer Duties and Responsibilities – The goal for responding officers is to save lives and prevent serious injuries by denying the gunman access to additional victims, rescuing injured victims and/or rescuing potential victims.

1. The initial officer must take charge of the active gunman incident upon arrival. Assumption of tactical responsibility may be based on rank, expertise or seniority. However, it must be made immediately clear to both Tatum Communication Center (TCC) communications specialists, LCCA, and other officers, who is in charge. A officer of superior rank who arrives or is on scene and fully briefed may ultimately assume incident command. TCC, LCCA, and other officers on scene must be notified if there is a change in incident command.
2. The first officer to arrive makes a situation analysis. The analysis will be continuous, taking into account new information from TCC and observations from officers and citizens. The analysis must lead to a decision as to whether the situation is an active gunman event, whether an opportunity exists for immediate intervention leading to accomplishment of one of the goals listed above, and how responding resources should be employed at the scene.
3. Officers will not act without planning or controls. The first officer arriving on scene will initiate incident command. They will initiate the situation analysis and determine initial deployment of responding resources. At least one person possessing all available information on tactical plans will remain at the command post to brief arriving personnel. Command personnel en route to the incident will monitor the radio to gain information, but shall not obstruct ongoing intervention. Command personnel must be on scene and fully briefed before assuming incident command.
4. The Chief supports the concept of first responder tactical intervention. Because traditional uniform responses of contain, isolate, evacuate, and wait for SWAT and Crisis Negotiators may not be adequate in an active gunman incident. The first officer on scene will need to consider the following:
  - a. *Rescue/Contact Team*: First responder intervention will be based on opportunity. Rescue teams will be in the form of officers with an identified element leader. Team movement will be in a controlled and disciplined tactical action under the control and direction of the element leader.
  - b. *Containment*: Dedicated security elements should always be a component of intervention teams. Individual action is discouraged, as it is usually counterproductive to a coordinated, focused response to an active gunman event unless lack of timely resources forces this approach.
  - c. *Security*: No location associated with an active gunman will be considered secure until the SWAT commander declares it is so. Officers assigned to security functions will maintain positions until properly relieved.
5. Special Weapons and Tactics (SWAT): When SWAT units are prepared to deploy, the initial responding officers may be relieved or redeployed by SWAT.

**OPR 5-03-4****GENERAL CONSIDERATIONS**

- A. When hostages are present, their safety takes precedence over the time of the officers deployed and the inconvenience to the community.
- B. If negotiations are moving in a positive direction and the persons are not deemed to be in immediate danger, negotiations should continue.
- C. The amount of force necessary to ensure the safety of hostages or targets is authorized when negotiations are moving in a negative direction and the lives of the hostages seem to be in peril. Or the gunman is actively engaging targets.
  - 1. The scene commander may authorize a sniper assault or hostage rescue operation.
  - 2. The scene commander will consult with the Chief, or designee, prior to initiating a sniper assault or rescue operation, unless exigent circumstances require an immediate response.
- D. Barricaded subjects/active assailants will be given time to surrender if they indicate desire to do so unless they take actions to re-engage or continue attacking hostages or persons.

**ADM 5-02 USE OF FORCE, INCLUDING DEADLY FORCE EVENTS****POLICY:**

In vesting law enforcement officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of the Tatum Police Department that officers shall use only that force which is reasonable and necessary to affect lawful objectives. All officers will act in good faith in the exercise of force. All officers shall be provided with and be familiar with all provisions of the New Mexico State Statutes and this directive governing the legal use of Deadly Force. While clear boundaries of reasonableness can be defined for certain law enforcement situations, others must be interpreted for the particular set of circumstances involved. The purpose of this section is to provide each officer with policy guidance and direction with respect to the use of force in carrying out their duties and provide procedural guidance for investigating the use of deadly force.

**ADM 5-02-1 JUSTIFICATION FOR THE USE OF FORCE**

- A. Justification for the use of force is limited to what is reasonably known or perceived by the officer at the time. Facts discovered after the event, no matter how compelling, cannot be used in later determinations of whether the use of force was justified.

**ADM 5-02-2 APPLICATION OF FORCE LEVELS**

- A. Officers should use the least force available when dealing with individuals, remaining consistent with preserving public safety, order, and individual liberty. Where force is warranted, officers should assess the incident and employ the level of force they believe is necessary to protect life and or will reasonably de-escalate the incident and bring it under control safely. No weapon may be used with punitive intent.
- B. Officers are authorized to use those defensive tactics and weapons with which they are trained, qualified, and or certified with, as determined by NMDPS and Police Department training and agency procedures; they shall use them in keeping with their training.
  - 1. Officers must subject themselves to, witness training staff utilizing, and/or participate in appropriate NMDPS and internal qualifications with all weapons they are issued prior to on-duty carry. This will allow the officer to become familiar with the effects of each weapon.
- C. Officers will normally use the following weapons when applying force. They are listed below:
  - 1. Defensive Empty Hand tactics
  - 2. Issued Electronic Control Device (ECD)
  - 3. Issued Chemical Weapons
  - 4. Issued ASP Baton

5. Issued and approved Firearm and Ammunition

***This list is not a continuum of force which must be progressed through. Officers shall apply the level of force consistent with their training and necessary to the event.***

- D. When a confrontation escalates suddenly, a officer may use any means or device at hand to protect themselves or others, as long as the force is reasonable for the existing circumstances.
- E. The Chief is responsible for ensuring supervisors and subordinates under their command conform to policy regarding the use of force.

**ADM 5-02-3**

**GUIDELINES FOR X2 ELECTRONIC CONTROL DEVICES**

- A. The ECD device may be employed on a person who is resisting lawful efforts to control them by aggressive movements and an escalation of resistive force, or if a person has escalated to using threatening statements and begins to close distance on the officer or another person in a manner as if to batter them.
- B. Officers will not remove an ECD from their duty belts unless it is to be deployed in a use of force situation, inspected by the officer, maintenance of the device is being performed by a certified instructor, maintenance of the officer's duty belt is being done, or they have been directed to do so by a supervisor.
  - 1. Prior to their shift beginning, officers will perform a function test on their ECD in accordance with the manufacturer's recommendations.
  - 2. ECDs will be carried in an approved/issued Taser holster in a manner consistent with training and that helps avoid weapon confusion with the officer's primary weapon.
    - a. Officers will carry their ECD armed with the safety on.
    - b. Only agency approved battery powered sources shall be used in the ECD.
- C. The X2 Taser ECD is target specific. Recommended target areas are the subject's torso (the back if possible and center mass) and or legs. Officers should avoid sensitive areas such as the eyes, throat, neck, or groin.
- D. Using the X2 Taser ECD under the following circumstances would normally be prohibited. However, if the X2 Taser ECD could be used to protect the officer or another from bodily harm or death, using the device may be justified as follows:
  - 1. On a handcuffed or secured prisoner, displaying overly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion.

2. On a subject who is running from the officer.
3. In any environment where a officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with a volatile propellant, gasoline, natural gas, propane, or conditions that may be discovered when dealing with a methamphetamine production lab).
4. In any environment where the subject's fall could reasonably result in death or serious injury or in water where the subject could reasonably drown.

E. Deployment of the X2 Taser ECD

1. In preparation for firing the X2 Taser ECD, officers will point the device in a safe direction, arm it, and aim.
2. The officer should make a reasonable attempt to warn the subject and fellow officers of the impending use of the ECD by giving verbal warnings such as Taser! Taser! Taser!
3. When firing the device, the officer shall energize the subject the least number of times and no longer than necessary to gain control of the suspect.
4. Officers should secure the subject as soon as practical while they are disabled by the ECD power to minimize the number of deployment cycles.
5. The X2 Taser ECD may also be used in certain circumstances in a touch stun or drive stun mode. This involves pressing the unit against an appropriate target area and activating the device. It is important to note that when the device is used in this direct contact mode it is subject to the same deployment (use) guidelines and restrictions as those of the ECD in cartridge deployments.

**ADM 5-2-4**

**AFTERCARE FOR AN ECD**

- A. When the X2 Taser ECD device has been used operationally, officers will collect the cartridge, wire leads, darts and several of the AFIDs and enter these items into evidence at the Tatum Police Department. In addition the officer shall take photos of probe impact sites, these photos are to be turned into evidence.
- B. EMS will be called to complete a cursory check on each ECD exposure.
- C. The following persons shall be transported to a medical facility for examination following exposure to an ECD. Any person who:
  1. Is hit in a sensitive area (e.g. eyes, throat, neck, and groin) by the X2 Taser dart(s).
  2. Is in a potentially susceptible population such as children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health.
  3. Has been subjected to a continuous energy cycle of 15 seconds or more, or, has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to ECD exposure.

- D. Officers will advise detention personnel whenever they deploy an ECD against a prisoner so the detention officers can monitor the suspect in accordance with their policy and procedure.
- E. If the officer is advised by the detention facility that the prisoner suffers from vomiting, excessive burning, loss of control of breathing or any other adverse effect, the officer will complete a supplemental report detailing the medical attention received.

**ADM 5-02-5**

**OLEORESIN CAPSICUM (OC) SPRAY**

- A. OC Spray may be employed on a person who is resisting lawful efforts to control them by aggressive movements and an escalation of resistive force, or if a person has escalated to using threatening statements and begins to close distance on the officer or another person in a manner as if to batter them.
- B. The use of OC Spray is target specific and will consist of the face, specifically the eyes.

**ADM 5-02-6**

**DECONTAMINATION FOR (OC ) SPRAY**

- A. Decontamination begins after the suspect has been restrained with handcuffs or by other means and suspect's resistance has ceased.
- B. Decontamination should begin in a reasonable time frame and officer safety concerns should be taken into consideration.
- C. Expose suspect to fresh air and flush affected area with water if he/she is not combative.
- D. Call medical personnel (EMS).
- E. Upon arrival at a Detention Facility, the suspect should remove his/her clothing and shower before being placed in detention clothing and put in a cell.
- F. Officers will advise detention personnel whenever they have deployed (OC) Spray against a prisoner so the detention officers can monitor the suspect in accordance with their policy and procedure.
- E. If the officer is advised by the detention facility that the prisoner suffers from vomiting, excessive burning, loss of control of breathing or any other adverse effect, the officer will complete a supplemental report detailing the medical attention received.
- G. Under no circumstances will the officer apply any creams, salves or oils to the affected area.

**ADM 5-02-7**

**ASP BATON**

- A. The baton may be employed on a person who is resisting lawful efforts to control them by aggressive movements and/or an escalation of resistive force, or if a person has escalated to using threatening statements and begins to close distance on the officer or another person in a manner as if to batter them.
- B. The ASP Baton is not designed to be used as a club or bludgeon. Strikes should target the areas of the body which may result in compliance by the suspect or allow the officer to gain control.

C. Strikes to parts of the body (head, neck, spine, groin) capable of inflicting death or serious injury shall be avoided unless justified by the guidelines of the deadly force section of this chapter.

**ADM 5-02-8                    FIREARMS AND DEADLY FORCE MECHANISMS**

- A. Firearms or any other type of deadly force mechanism may be employed against persons in order to protect the officer or other persons from what the officer reasonably believes to be an **immediate threat of death or serious physical injury**, or to prevent the escape of one reasonably believed to have committed a felony, **when there is probable cause to believe the suspect poses a significant threat of death or serious physical injury to the officer or others**.
- B. Officers shall not use deadly force in situations that would not be in accordance with New Mexico State Statutes.
- C. Where feasible, some warning should be given prior to engaging in the use of Deadly Force.
- D. Warning shots are prohibited, unless doing so could save the officer or another from death or great bodily harm.

**ADM 5-2-9                    REPORTING NON-DEADLY USE OF FORCE**

- A. In all instances where force is used (other than in training or for authorized recreational purposes), the primary officer involved will notify their immediate supervisor and complete a written report of the incident and a department use of force form.
  1. The uniform incident report and use of force form must, when examined together, provide a detailed description of the events leading to the necessity for the use of law enforcement action; the amount and type of action used; the nature and extent of injuries and treatment rendered to the officers and subjects; the identity of combatants, officers involved, witnesses and medical personnel involved, if applicable; and all pertinent information to the incident or crime which the officer was responding to.
    - a. Assisting officers will complete supplemental narratives to the form and uniform incident report.
    - b. Officers will make every attempt to take photographs of any injuries a suspect or prisoner sustains. If the suspect or prisoner refuses to allow the officer to take photographs, the officer will note this in their report and request copies of detention documentation photographs when available.
  2. Copies of all reports will be submitted through the chain-of-command for review by the Chief to determine whether:
    - a. Current Policies, Rules, or Procedures were violated.
    - b. The relevant policy was clearly understandable and effective to cover the situation.
    - c. Training was adequate.

3. If the force used involved the use of an ECD, reviewing supervisors must also forward a copy of the uniform incident report and the Departments use of force form to the department's Electronic Control Device instructors. Further, officers shall specifically articulate the rationale for any instance for which:
  - a. An ECD is energized.
  - b. An energy cycle longer than 15 seconds in duration is used.
  - c. More than one ECD is used against a subject in any given incident, or, an ECD is used against an individual designated to be in the susceptible population as described previously.
4. If the force used involved the use of a firearm or other deadly force mechanism by the officer that resulted in an injury that was not life-threatening to a person, the on-scene supervisor will ensure the Chief is advised of the event as soon as practical.
5. An administrative review, internal affairs investigation, or both may be ordered by the Chief based on the circumstances of the event.
6. All findings of policy violations or training inadequacies shall be reported to the Chief.

**ADM 5-02-10**

**RESPONSE TO A USE OF FORCE EVENT INVOLVING DEATH OR SERIOUS INJURY**

- A. The first supervisor on the scene will:
  1. If necessary, assign a officer to resolve or assume investigative responsibility for the initial event the officer involved in the use of deadly force was responding to.
  2. Assign officers to secure the outer perimeter of the crime scene and to search for possible suspects believed to be in the area.
  3. Direct all witnesses, including involved personnel, in separate locations to ensure witness credibility.
  4. Remain on the perimeter of the crime scene to provide assistance.
  5. Immediately initiate an area canvas to locate any witnesses who may have information.
    - a. Any witness found should be brought to the immediate attention of the primary investigator.
  6. Ensure the Chief is notified as soon as practical.
- B. The Chief or their designee shall request another agency conduct an investigation into the deadly force event itself.
  1. This request will normally involve the activation of the Officer Involved Fatal Incident Protocol, which is hereby appended to this policy by reference.
- C. The Police Department may choose to retain investigative responsibility for those events in which a officer is injured or killed during a deadly encounter where there is no reason to suspect a criminal act on the part of the officer.

- D. All participating law enforcement personnel other than principals, regardless of rank, will submit a report. All original reports will be submitted before the officer's end of shift.
- E. The Chief shall be the liaison between agencies. Copies of all reports, statements, and documentation of the incident will be furnished to the Chief, who will forward copies to the District and City Attorneys as soon as practical.
- F. Whenever a officer is a principal participant in an incident involving the use of deadly force resulting in death or great bodily injury, the officer shall be placed on administrative leave with pay; they will make themselves available to internal affairs investigators.
  - 1. Any officer who has to resort to the use of deadly force will be directed to attend psychological counseling. A report of the licensed psychologist's findings will be forwarded to the Chief before the officer will be allowed to return to duty; the report must indicate a fitness for duty prior to reinstatement.
  - 2. Returning to former duty status must be authorized by the Chief or his designee.

**ADM 5-05 VEHICLE PURSUITS AND DISABLING TACTICS****POLICY:**

Tatum Police Department policy is to provide general guidelines and procedures to officers who become involved in vehicle pursuits or choose to employ disabling tactics to stop a vehicle in motion. The intent of this policy is to assist officers to evaluate their duty to pursue criminal violators in light of the safety concerns inherent in this action, and to assist sworn personnel to perform their sworn duty in a safe manner. All personnel operating official vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance, and no task shall be expedited with such emphasis, that the principles of safety become secondary.

**ADM 5-05-1 STATUTORY COMPLIANCE**

- A. All emergency vehicle operations shall be conducted in strict accordance with existing statutes. Officers engaged in emergency vehicle operations shall utilize both audible and visual emergency warning equipment when engaged in a pursuit.

**ADM 5-05-2 JUSTIFICATION FOR PURSUIT**

- A. A vehicle pursuit is justified when:
  1. The officer knows, or has reasonable grounds to believe, the suspect presents a clear and immediate threat to the safety of other motorists or persons; or
  2. Has committed or is attempting to commit a violent felony.

**ADM 5-05-3 INITIATING OR PRIMARY UNIT RESPONSIBILITIES**

- A. The decision to initiate a pursuit rests with the individual officer.
- B. The officer initiating a pursuit shall, in all cases, notify the Tatum communications Center as soon as reasonably possible that a pursuit is underway and provide the following information:
  1. Unit identification
  2. Location, speed, and direction of travel;
  3. Vehicle description and license number;
  4. The specific reason for the pursuit, including known laws violated;
  5. Number of occupants;
  6. Traffic and weather conditions.
- C. Failure to provide the above information may be cause for the supervisor to order termination of the pursuit.
- D. The initiating or primary unit shall be in field command and bears operational responsibilities of the pursuit unless relieved by a supervisor.

- E. The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of the supervisor.
- F. The primary unit may maintain pursuit as long as it is safe to do so, or until directed to terminate the pursuit by a supervisor, or the suspect is stopped.
- G. The decision to abandon pursuit may be the most intelligent course of action. Officers must continually question whether the seriousness of the crime justifies continuing the pursuit. **OFFICERS ARE NOT OBLIGATED TO CONTINUE ANY PURSUIT.** A pursuit shall be terminated under any of the following circumstances:
  - 1. If, in the opinion of the pursuing officer or the on-duty field supervisor there is a clear and unreasonable danger to the officer and other users of the highway created by the pursuit that outweighs the necessity for immediate apprehension.
  - 2. The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
  - 3. The prevailing traffic, roadway and environmental conditions indicate the futility of continued pursuit.
  - 4. There is a change in weather or traffic conditions that increases the likelihood of danger as a result of the pursuit.
  - 5. The pursuing officer knows, or is reasonably certain, that the fleeing vehicle is operated by a juvenile, and the offense constitutes a misdemeanor or a non-serious felony and the safety factors involved are obviously greater than a juvenile can cope with.
  - 6. It becomes evident that the suspect cannot be apprehended when:
    - a. The distance between the pursuit vehicle and the fleeing vehicle increases.
    - b. The pursuit vehicle loses visual contact with the fleeing vehicle to the extent that identification of the fleeing vehicle becomes uncertain.
  - 7. The termination of a pursuit does not prohibit the following of a vehicle at a safe speed or remaining in an area to reinitiate pursuit, if the opportunity and conditions permit.
  - 8. If or when the driver is identified, the officer shall take appropriate enforcement action on the driver for the offense which initiated the pursuit as well as for any criminal offense the officer has reason to believe the driver committed during the pursuit.

**ADM 5-05-4****ASSISTING UNIT RESPONSIBILITIES**

- A. Assistance will be coordinated through LCCA under the direction of the ranking supervisor managing the pursuit. The primary unit will be advised of the identity and location of backup units who can assist.
- B. The active pursuit will normally involve not more than two units:
  - 1. Primary unit
  - 2. Backup unit
- C. If more assistance is specifically requested, the amount will be determined by:
  - 1. Nature of the offense;
  - 2. Number of suspects;
  - 3. Whether the participating units have more than one officer;
  - 4. Other clear and articulated facts that would warrant the increased hazard.
- D. Only the supervisor may authorize more than two units to be in active pursuit. All other units will remain aware of the direction and progress of the pursuit, but shall not respond or parallel the pursuit on adjacent streets, unless specifically authorized to do so.
- E. The backup unit, upon joining the pursuit, shall immediately notify dispatch of his/her identity. The backup unit shall assume radio communications responsibilities, allowing the primary unit to devote full attention to driving.
- F. The backup unit will maintain a safe distance behind the primary unit, but be close enough to render backup assistance if and when required.
- G. Assisting units shall, at all costs, avoid intersecting the path of an oncoming high-speed vehicle.
- H. If the primary unit becomes disabled, the backup unit will become the primary unit. The next unit to join the pursuit will be designated by the field supervisor.

**ADM 5-05-5****TATUM COMMUNICATION CENTER ACTIONS**

- A. Receive and record all incoming information on the pursuit and the pursued vehicle.
- B. Immediately notify the supervisor when a pursuit is initiated.
- C. Clear radio channel of any unnecessary traffic.
- D. Perform relevant record and motor vehicle checks.
- E. Control all radio communications during the pursuit.
- F. Coordinate assistance under the direction of the supervisor.

G. Continue to monitor the pursuit until it has been terminated.

**ADM 5-05-6                    SUPERVISOR'S RESPONSIBILITIES**

- A. Upon being notified of the pursuit, the supervisor shall verify the following:
  1. No more than the required or necessary units are involved in the pursuit;
  2. Proper radio frequency is being utilized;
  3. Affected allied agencies are being notified.
- B. Additionally, the supervisor will:
  1. Monitor the pursuit and will make every reasonable effort to deploy the department issued "Stop-Sticks", as outlined in this policy, before more severe methods are used.
  2. Continue to direct the pursuit, and approve or order alternative tactics, such as the use of a roadblock, and maintain control until the pursuit is terminated. In the absence of adequate information from the primary or backup unit, the supervisor may order termination of the pursuit.
  3. Pay particular continuing attention to their subordinates driving habits to ensure that they drive safely and reasonably and follow the regulations contained in this order.
  4. Avoid becoming involved in the actual pursuit or assuming the primary unit's pursuit responsibilities unless the situation leaves them no practical alternative. The supervisor must maintain their ability to manage the pursuit and evaluate the safety issues related to the event.
    - a. As with any tactical field problem, it is not necessary that the supervisor be physically present in order to begin coordination and assert control of the pursuit.
  5. Respond immediately to the point of termination of the pursuit.

**ADM 5-05-7                    EMERGENCY VEHICLE OPERATION AND DISABLING TACTICS**

A. Offensive Tactics

1. In the course of pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in motion shall be prohibited, unless such actions meet the criteria required for the application of deadly force by a officer.
2. Pursuing officers shall not discharge their firearms from moving vehicles, and shall not discharge their firearms at the fleeing vehicle's tires in attempt to deflate them, unless deadly force is justified and it can be done in an area or location where there is no risk to others.

3. Reckless or hazardous driving maneuvers shall not be duplicated by any pursuing vehicle.
4. Officers will not caravan; only the primary and backing units will actively pursue.
5. There shall be no attempt by officers to pass other field units involved in the pursuit unless the passing officer received specific permission from the supervisor.
6. All units in pursuit, whether the vehicle in front of the unit is the suspect vehicle or another Police unit, shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.

B. Unmarked Units

1. Officers operating unmarked vehicles (provided the vehicle is equipped with emergency lights and siren) may engage in pursuit only when the fleeing vehicle presents an immediate and direct threat to human life. Whenever a marked vehicle becomes available to take over the pursuit, the unmarked vehicle will withdraw from active pursuit and serve in a support role.

C. Controlled Access Roadways

1. Officers shall not pursue suspects the wrong way on divided roadways unless specifically authorized by the supervisor.

D. Roadblocks

1. The use of a roadblock must be authorized by the supervisor.
2. If possible, attempts should be made to deploy the department "Stop Stick". Otherwise; a roadblock will be employed only as a last resort.
3. The use of a roadblock must be directly associated with the seriousness of the crime for which the suspect is wanted.
4. The roadblock should be set up at a location visible to traffic approaching from all directions, with adequate warning to allow vehicles to come to a safe stop.
5. Department vehicles used in stationary roadblocks shall keep the units emergency lights activated. Headlights, spotlights, and takedown lights should not be directly focused toward oncoming traffic.
6. An avenue of escape that can be maneuvered through at a reasonable rate of speed should be established at the site of the roadblock. Pursuing units should be advised by officers at the roadblock of any measures being taken to stop the pursuit at that point. Pursuing units should slow their vehicles to a safe speed on approaching the roadblock in the event evasive action is necessary to avoid deployed "Stop-Sticks" or other devices.
7. The roadway shall not be completely blocked unless the use of deadly force would be authorized.

E. Stop Sticks

1. Stop Sticks contain sharp spikes. DO NOT bend this product or push the spike tips through the housing walls. DO NOT pick up interconnected 3' "Stop Sticks". Disconnect on the ground before picking up the individual units. As they are designed to be used on vehicles with four or more tires, it is prohibited to deploy them on any two or three wheeled vehicle.
2. To deploy Stop Sticks, officers will set up a roadblock as prescribed previously and deploy the "Stop Sticks" device across the avenue of escape provided for the pursued vehicle using the following guidelines:
  - a. When time allows, connect the three "Stop Sticks" end to end across the avenue of escape, creating a 9' unit of sticks.
  - b. Place the sticks across the projected path of the vehicle or the cord reel can be utilized. (There is approximately 80 feet of nylon cord available within the cord reel).
  - c. Place the sticks lengthwise to the side of the road; dispense a sufficient amount of cord from the reel and as the pursued vehicle approaches, pull the sticks into the projected path of the pursued vehicle.
  - d. The sticks can also be inserted into the issued black sleeve for add camouflage against the dark surface of the roadway.
  - e. Officers should advise pursuing units that Stop Sticks have been deployed.
  - f. Pursuing units should slow their vehicles to a safe speed in the event that evasive action is necessary at the roadblock to avoid deployed or damaged Stop Sticks.
  - g. The pursued vehicle can be expected to continue on the damaged tires for approximately one (1) mile before they become flat.
  - h. If time does not allow for the connection of the three Stop Sticks, officers may lay the three sticks end-to-end across the avenue of escape as the pursued vehicle approaches, or a single stick can be tossed into the path of the pursued vehicle.
  - i. Officers should position themselves in a safe location away from the point of impact between the pursued vehicle and the Stop Sticks.
  - j. If the Stop Sticks were effective in stopping the pursued vehicle, the damaged stick must be turned in to the Training Officer for return to the factory.
  - k. If the pursued vehicle does not pass through the roadblock, officers should return the Stop Sticks to the rack in the patrol unit.
- L. DO NOT WRAP THE CORD REEL AROUND ANY PORTION OF YOUR BODY. ONCE YOU LOCK THE STICKS TOGETHER, DO NOT PICK THEM UP UNLESS YOU FIRST DISCONNECT THEM.

F. Traffic Control Devices

1. Extreme caution must be used whenever officers are approaching traffic control signs or signals, even though statutes specifically permit crossing against such signs or signals. Officers shall make use of all available warning devices to alert other motorists and pedestrians.

**ADM 5-05-8                    INTER-JURISDICTIONAL PURSUITS**

- A. All non-violent felony pursuits will be abandoned upon entering the incorporated city limits of any city, unless the officer knows, or has reasonable grounds to believe, the suspect presents a clear and immediate threat to the safety of others.
- B. TCC will normally notify outside agencies if this agency is in pursuit in their jurisdiction, but the field supervisor should verify this has been done. Supervisors should ensure TCC staff specify to the outside agency that the call is either a request for assistance or merely a courtesy notification, with no participation desired.
- C. Officers shall not become involved in another agency's pursuit unless specifically directed to by the field supervisor or it is clearly demonstrated that a unit from an outside agency is unable to request assistance, or the emergency nature of the situation dictates the need for assistance. In these instances, all pursuit policies are in effect.

**ADM 5-05-9                    OVERTAKING /PURSUIT OF A VIOLATOR**

- A. The decision to overtake rests with the individual officer. In arriving at their decision they must carefully consider all factors involved, including the seriousness of the offense, the possible consequences and most importantly, the safety of the general public. In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle should be within close proximity to the vehicle prior to activating the emergency lights and siren.

**ADM 5-05-10                    ACCIDENTS DURING PURSUITS**

- A. If a officer is involved in a traffic accident during the course of a pursuit, the officer should terminate their part in the pursuit unless circumstances demand otherwise.
- B. The supervisor will make the determination, as to whether the pursuit should be terminated or continued with the backup officer moving up to the primary unit.
- C. The supervisor will insure that the accident involving the primary unit is investigated.

**ADM 5-05-11                    PURSUITS ACROSS STATE LINE**

- A. If a officer of this department is in a pursuit and it crosses the Texas State Line, the officer will have TCC notify the Texas authorities. Once Texas authorities join the pursuit the pursuit will be handled by them. Officers will only assist if requested by the Texas authority and authorized by the supervisor.
- B. The Texas authorities may arrest the felon, based on probable cause supplied by the officer, and hold the defendant for twenty-four (24) hours pending the issuance of a

warrant from New Mexico. Once the warrant has been issued, formal extradition proceedings can begin.

- C. Under no circumstances will a Tatum Police Department officer transport any person apprehended in Texas back across the state line without proper extradition proceedings being completed.

**ADM 5-05-12                    REPORTING REQUIREMENTS**

- A. The primary officer, and any other officer involved in the pursuit, shall submit reports detailing the pursuit and their involvement prior to the end of shift.
- B. If, during the course of the pursuit, a collision involving injury or death, or the use of deadly force is initiated, all involved officers will submit a memorandum, directed to the Chief, through the chain of command detailing their involvement or first-hand knowledge of the circumstances and events.
- C. Within twenty-four (24) hours of a pursuit, the supervisor shall conduct an after-action review into the pursuit, unless the supervisor became an actor in the pursuit. In this case, the after-action review will be conducted by the next supervisor in the Chain of Command, or an outside agency.
- D. The Chief will evaluate the findings of the after-action review in order to determine if any additional or supplemental training is required, and if the pursuit met policy guidelines.

## **Officer-Involved Shooting Guidelines**

Ratified by Tatum Police Department

### **1. Pre-Incident Preparation**

1.1. Officers and agencies, and all those involved in investigating and making official determinations about officer-involved shootings, should become educated about the science of human performance factors<sup>2</sup> that influence behavior during high stress, time pressured, deadly force confrontations.

1.2. Command and line staff should be made aware of the residual emotional, psychological, and behavioral effects often associated with officer-involved shootings and other potentially distressing critical incidents. Agencies are encouraged to train all their personnel in both normal and problematic posttraumatic reactions and appropriate ways to respond to employees who have been involved in a traumatic incident. Training should include what to expect personally (including the effect on family members), professionally, departmentally, and legally after a shooting or other significant use-of-force incidents. Such training may occur as part of the initial academy training and/or as part of the department's ongoing in-service training program. The training material should be made widely available to personnel to use as reference material in the event they become involved in a deadly force or other critical incident.

1.2.1. As part of the agency training, personnel should be made aware of specific counseling options offered by their agency, when available, for both the involved officers and their families following an officer-involved shooting or other critical incident.

1.3. Prior to any shooting incident, it is recommended that the agency establish a working relationship with one or more qualified, licensed mental health professionals experienced in the law enforcement culture as well as in the provision of post-shooting or other critical incident interventions. The department should notify this mental health resource as soon as possible following an officer-involved shooting or other critical incident, so that an appropriate intervention can be facilitated in a timely fashion.

1.4. Agencies should consider developing a roster, with timely updates, containing the names and contact numbers of family members and significant others whom such personnel would like to have notified in the event that they are injured on duty and are unable to contact them personally. Officers should also identify two or three fellow officers, in order of preference, whom they would like to have contact their family or significant other when feasible if they are unable to personally make contact after a shooting or comparable critical event. Agencies should take steps to help prevent this information from being viewed by unauthorized personnel, and yet is readily available at the time of an incident.

While it is preferable to have contact made by an officer who is known to family members, this may not be feasible and agencies should ensure that contacts with family and significant others is made by personnel trained to make such notifications.

## **2. At the Scene and Immediately Following**

2.1. Immediately after an officer-involved shooting or other critical incident, involved personnel should be provided physical and psychological first aid (e.g., emotional support, reassurance to involved personnel, assignment of a companion officer to any officer who is directly involved in a shooting and is separated from others pending investigative procedures). This support should be focused on calming physical and emotional stress and restoring and/or reinforcing the officers' sense of safety.

2.1.1. Inasmuch as officers who did not fire their weapons are often overlooked in the aftermath of a shooting event, agencies should be mindful that "involved officers" may include not only those who fired their weapon, but also officers who were at the scene and either did not, or could not, fire their weapon. Such officers are often strongly impacted. It is possible that similar reactions by such officers may also take place following other critical incidents. This is not intended to expand the scope of rights that witness officers may or may not have with regard to the investigation, but should be strongly considered in providing support and mental health assistance to all "involved" personnel.

2.2. After providing needed public safety information, officers who fired a weapon or were directly involved in a critical incident should be encouraged to step immediately away from the scene and be transported to a safe and supportive environment by a trusted peer or supervisor. To ensure officers are not isolated once transported from the scene, whenever possible the agency should ensure there is a companion officer of the officer's choice, a chaplain, or a supportive peer available. Often the best support person is a fellow officer who is trained in peer support or has previously gone through an officer-involved shooting, who can be assigned to the officer immediately following the incident. If officers have an immediate need to talk about the incident, they should be encouraged to do so solely with individuals with whom they have privileged communication (i.e., attorney, chaplain, licensed mental health professional, and in some states, trained peer support personnel).

2.3. Following a shooting incident, officers often feel vulnerable if unarmed. If an officer's firearm has been taken as evidence or simply pursuant to departmental policy, a replacement weapon should be immediately provided as a sign of support, confidence, and trust unless there is an articulable basis for deviating from this procedure. Officers should be kept informed of when their weapon is likely to be returned. Care should be taken to process and collect evidence from the officer as soon as practicable to provide an opportunity to change into civilian clothing.

2.4. Officers involved in a shooting or other critical incident should be provided with the opportunity and encouraged to personally contact their family members as soon as possible after the incident (e.g., by cell phone while being transported from the scene). Timely personal contact may reduce the likelihood of loved ones receiving incomplete or misleading information from the media or other forms of rapid electronic communications. It is prudent that no contact be made with family members before the officers have had this opportunity. Officers should be instructed to limit information to their well-being

and not the facts of the incident. If it is not feasible to call themselves, then individuals who preferably know the families, or have been previously chosen by the officers (see 2.4), or have notification training, or are designated by the department, should call as soon as possible. Offers to call other support people such as friends, family members, chaplains, qualified mental health professionals, and so on, should be made to ensure that the family members have their support system mobilized. Family members who wish to be with injured officers should be offered transportation in lieu of driving themselves.

2.2.1. Officers not involved in the incident, but on duty at the time of the incident, should be allowed, as time permits, to contact their families and advise them that a shooting or other critical incident has occurred, but that they were not involved (or injured).

2.5. The investigative process and concerns over legal and administrative consequences are often the most stressful parts of an officer-involved shooting or other critical incident for involved personnel. The first few hours after a shooting or other critical incident is a potentially emotional and confusing time so officers may wish to consult their union and legal counsel. Whenever possible, officers should be educated on the protocol of the investigation as well as any potential actions by the media, grand jury, or review board prior to any formal investigative interviews. It is equally important that, over time, officers be made aware of the progress of the investigation in a timely fashion.

2.5.1. Administrators, peers and legal advisors having contact with involved personnel should remember that what they say to an officer immediately after a shooting or other critical incident may be long remembered.

2.6. Following a shooting or other critical incident, it is helpful to provide officers and their significant others with written information that explains physical and psychological reactions to shooting or other critical incidents. Topics covered should include what to expect psychologically and physically, how to support each other, coping strategies, resiliency strategies, and identifying whom to contact for further assistance.

2.6.1 Due to the overwhelming presence of social media, involved officers should be reminded of the risks to their presence on social media, as there may be unwanted others viewing their comments/postings/blogs. They should further be reminded that viewing media and/or community negativity through television and web-based postings may complicate post-incident thoughts and emotions.

### **3. Investigative Period**

3.1. Shootings and other critical incidents can result in heightened physical and emotional reactions for the participants that require a brief respite from work to marshal natural coping skills and manage the emotional impact of the incident prior to a return to duty. Consequently, agencies should develop a policy that addresses post-incident time off before an officer's return to his or her pre-incident assignment. Crafting such departmental policies for individuals involved in shootings and other critical incidents should be done with some flexibility in that some officers may be minimally impacted and may find prolonged leave counterproductive while others may require more time off. For those officers

directly involved in a death or serious injury to another person, a minimum of three days leave, using either administrative leave or regular days off, should be granted. Agencies should also be mindful of those personnel who were present at the scene but, for example, did not discharge their weapons, as they are frequently emotionally impacted by the incident and may, in some cases, benefit from a period of administrative leave. It is important that officers and the public understand that administrative leave is a routine procedure and not a disciplinary suspension.

3.2. While officers may be asked to provide pertinent information soon after a shooting to aid the initial investigative process, whenever feasible, officers should have some recovery time before providing a full formal statement. Depending on the nature of the incident, the demands on the agency, and the emotional and physical status of the officers, this can range from a few hours to several days. An officer's memory will often benefit from at least one sleep cycle prior to being interviewed leading to more coherent and accurate statements. Providing a secure setting, insulated from the press and curious coworkers, is important during the interview process.

3.3. Talking with trained peers who have had similar experiences can be quite helpful for officers involved in deadly force and other critical incidents. Often these personnel respond immediately on scene to provide support and psychological first aid. Trained peer support personnel may also be an asset by participating in post-incident group interventions in conjunction with a mental health professional trained and experienced in working with law enforcement. Family members of officers involved in shootings may also benefit from contact with a trained mental health professional and/or peer support, particularly from the family members of those who have previously been involved in shootings or other life-threatening events. The formation and administrative backing of peer support and outreach teams for officers and family members may prove to be a wise investment prior to an officer-involved shooting and other critical incidents. Only peer support team members who have received specialized training in crisis intervention and the rules of confidentiality promulgated by the department should be utilized. Peer support should only be ancillary to intervention by a mental health professional trained and experienced in law enforcement and officer-involved shootings or other critical incidents and should never take its place.

3.4. Timely communication from high-ranking administrators of their personal concern and support for officers involved in significant use-of-force and other critical incidents can provide an extra measure of reassurance and comfort. The administrator does not have to comment on the situation, or make further statements regarding legal or departmental resolution, but can show concern and empathy for the officers during this stressful experience. These contacts, whether in person or via telephone, should be made as soon as possible after the incident.

3.5. To promote the dissemination of accurate information and quell unfounded rumors, as soon as practicable and to the extent allowed, a designated and informed person should brief the officers' supervisors and unit, followed by the agency as a whole, about the shooting and other critical incidents. Efforts should be taken to ensure distributed information is accurate. Furthermore, agencies should make every effort to expedite the completion of administrative and criminal investigations, keeping the

officers informed in a timely manner, and notifying officers of the progress and outcome as soon as possible.

3.6. Significant use-of-force investigations are complex events and may involve an array of law enforcement and other government agencies. Continued communication among all parties throughout the course of an investigation protects involved officers by mitigating misunderstandings and conflict among the different interests and concerns.

3.7. Members of the community, including the media, would benefit from education regarding procedures, protocols, and human performance factors related to police use of force, especially deadly force encounters. It is recommended that police agencies assist these community education efforts by providing information about factors involved in police use of deadly force including officer safety issues and pertinent laws.

3.8. Unnecessarily lengthy investigations cause undue distress to officers. Agencies should make every effort to expedite the completion of administrative and criminal investigations. Departments that do not conduct their own criminal investigations and cannot control the length of time required to complete the investigation should meet with the investigating agency and prosecutor before a shooting and other critical incident occurs to work out the logistics in advance. While investigations are pending, supervisors should maintain regular contact with officers and keep them apprised of any pertinent developments.

#### **4. Post-Shooting Interventions**

4.1. Post-shooting and other critical incident interventions should be conducted only by licensed mental health professionals trained and experienced in working with law enforcement personnel and familiar with officer-involved shootings and other critical incidents. Care should be taken in selecting a mental health professional to ensure that he or she is well versed in the normal range of human reactions to critical incidents, and is competent in the education and treatment of trauma in a law enforcement population.

4.2. Some officers would choose not to participate in the post-shooting interventions provided by qualified mental health professionals, yet when required to participate, they often find it helpful.<sup>8</sup> In addition, some may be unaware of the potential impact of the incident and/or be sensitive to the stigma of seeing a qualified mental health professional, thus choosing not to participate. For these reasons, it is recommended that officers be required to participate in one individual post-shooting (or other critical incident) intervention with a qualified mental health professional so they can, at a minimum, be provided with basic education and coping skills to better manage their reactions. This does not mean that it should be mandatory for them to discuss the event with the mental health professional. Participation in the initial session is driven by the nature of the event, not the attribution of a manifest problem by the officer, and it should be emphasized that this session is not a disciplinary action. Any participation beyond attendance of the first session should be voluntary on the part of the officers.

4.3. After a life-threatening incident, officers are often concerned about how they reacted physiologically and emotionally, and whether these reactions were “normal.” Post-shooting and other critical incident interventions should be primarily educative as this reassurance reduces worry, anxiety, and negative self-assessment. Much of the time, the normalization and education provided during the post-shooting and other critical incident intervention regarding common changes to perception, attention and memory affords sufficient support to facilitate resilience and individual coping abilities. If not adequately addressed, however, these reactions may lead to more severe and chronic problems requiring treatment services.

4.4. The initial post-shooting and other critical incident intervention should occur within one week after the shooting incident. The initial goal should be to reduce stress, assess and “normalize” any problematic post-incident reactions, and provide education regarding the management of any problematic post-incident reactions. Particular attention should be paid to maintaining sleep functioning, accessing social support, and avoiding excessive alcohol use. Officers should be assisted in preparing themselves and their loved ones for inaccurate, negative or inflammatory comments in the media, including TV, print media, and the Internet.

4.5. It is recommended that officers not be required to return to work immediately following a post-shooting or other critical incident intervention session.

4.6. A single contact with a mental health professional may prove to be inadequate for officers who have been severely affected by a shooting or comparable event. Also, some officers may experience delayed onset of problems. The qualified mental health professional should informally assess, for the sole purpose of a voluntary referral, which officers may need additional or alternative types of support to further their recovery process. Follow-up sessions should be made available to every involved officer and, if appropriate, voluntary referrals may be offered for counseling and/or to peer support or chaplaincy programs.

4.7. Because delayed reactions may occur, all officers receiving an initial post-shooting and other critical incident intervention should receive follow-up contact by the mental health professional either via phone or e-mail sometime within the first month, and at four months post-incident. In addition, contact should be made prior to the first anniversary of the incident (and the potential for anniversary reactions should be discussed in the initial intervention).

4.8. It should be made clear that the individual post-shooting intervention is a confidential communication between the mental health professional and the officer involved. No information about the content of these sessions should be released without the officer’s written authorization. The usual legal exceptions to confidentiality should be explained to all participants, including whether or not the confidentiality is legally privileged. The mental health professional should include an informed consent process before the intervention commences that contains a description of the possible benefits and risks of the intervention. In the case of an agency-required intervention, it should include a statement giving the mental health professional limited permission to verify the officer’s attendance at the intervention session to the agency without revealing any further details of the intervention.

4.9. Life-threatening use-of-force and other critical incidents also have the potential to emotionally impact an officer's family and significant others, who often can provide valuable support to officers following these incidents. As long as confidentiality and privilege can be maintained, it can be beneficial for all concerned to include such family members and significant others in the post-incident intervention process. If family members or significant others are invited, officers may have specific preferences about individual versus joint sessions, and mental health providers should give serious consideration to such preferences. The decision to conduct individual interventions followed by joint interventions, or joint interventions alone, should be decided by the officer and mental health provider.

4.10. It should be made clear to all involved personnel, supervisors, and the community at large that officers' fitness-for-duty should not be brought into question simply by virtue of their involvement in a shooting or other critical incident. Post-shooting and other critical incident psychological interventions are separate and distinct from any fitness-for-duty assessments or administrative or investigative procedures that may follow. This does not preclude an agency from requesting a formal fitness-for-duty evaluation based upon objective concerns about an officer's ability to perform his or her duties due to a suspected medical or psychological condition. However, the mere fact of being involved in a shooting does not necessitate such an evaluation prior to return to duty.

4.11. If a fitness-for-duty evaluation is requested, it should not be conducted by the mental health professional who provided the post-shooting intervention, or any other post incident counseling. However, as part of the post-shooting intervention, the mental health professional can assist officers in making decisions concerning returning to duty.

4.12. Group psychological interventions may be beneficial following incidents involving multiple personnel. All officers directly involved in the shooting incident should receive an initial individual intervention prior to the group session. Participants should be limited to persons who were involved in the event and attendance should be strictly voluntary but encouraged. Additional individual counseling referrals should be available and encouraged for those needing or wanting further assistance. Agencies should also consider the impact of deadly force and other critical incidents on all other involved emergency service personnel (e.g., dispatchers) and provide appropriate interventions consistent with these guidelines.

4.13. Group sessions may be jointly facilitated by one or more mental health professionals experienced in working with law enforcement and trained peer support personnel. The confidentiality of group sessions should be respected and some jurisdictions provide a degree of legal privilege to sanctioned peer support groups. Regardless of local laws, when information is processed in group settings, the risk of a breach of confidentiality is greater than in individual sessions conducted by licensed mental health professionals with whom officers have legal privilege. Although it is recommended that attendance at group sessions be voluntary, if attendance is mandated, any participation should be at the discretion of each officer (see 4.2).

## **Officer-Involved Shooting Guidelines**

Ratified by the IACP Police Psychological Services Section  
Philadelphia, Pennsylvania, 2013

### **1. Purpose**

- 1.1. It is widely accepted that officers involved in shootings or other significant critical incidents require immediate support.<sup>1</sup> The goal of these guidelines is to provide recommendations to public safety agencies, and the mental health providers who provide the service, to prepare and respond to the health and well-being of law enforcement personnel following an officer-involved shooting. The Guidelines were developed not to provide a rigid protocol but to offer information and recommendations to public safety agencies and their mental health providers that can be flexibly applied in response to the complex demands that may vary across jurisdictions following these incidents. Many of these recommendations are not only applicable to officer-involved shootings, but also other potentially distressing critical incidents and help to identify and assist those individuals at higher risk for experiencing and/or developing resultant mental health problems. Decades of experience by police and public safety mental health professionals, along with scientific research, suggest that following these guidelines can promote positive outcomes following such incidents.

### **2. Limitations**

- 2.1. The term “guidelines” in this context refers to recommended procedures for agencies. Guidelines are not mandatory; they are aspirational in intent. Guidelines are not intended to be mandatory or exhaustive and may not be applicable to every situation. They are not definitive, and they are not intended to take precedence over the judgment of the agency or their mental health provider. Each of the guidelines may not apply in a specific case or in all situations. The decision as to what is or is not done in a particular instance is ultimately the responsibility of the agency.

### **3. Pre-Incident Preparation**

- 3.1. Officers and agencies, and all those involved in investigating and making official determinations about officer-involved shootings, should become educated about the science of human performance factors<sup>2</sup> that influence behavior during high stress, time pressured, deadly force confrontations.

- 3.2. Command and line staff should be made aware of the residual emotional, psychological, and behavioral effects often associated with officer-involved shootings and other potentially distressing critical incidents. Agencies are encouraged to train all their personnel in both normal and problematic posttraumatic reactions and appropriate ways to respond to employees who have been involved in a traumatic incident. Training should include what to expect personally (including the effect on family members), professionally, departmentally, and legally after a shooting or other significant use-of-force incidents. Such training may occur as part of the initial academy training and/or as part of the department's ongoing in-service training program. The training material should be made widely available to personnel to use as reference material in the event they become involved in a deadly force or other critical incident.
  - 3.2.1. As part of the agency training, personnel should be made aware of specific counseling options offered by their agency, when available, for both the involved officers and their families following an officer-involved shooting or other critical incident.
- 3.3. Prior to any shooting incident, it is recommended that the agency establish a working relationship with one or more qualified, licensed mental health professionals experienced in the law enforcement culture as well as in the provision of post-shooting or other critical incident interventions. The department should notify this mental health resource as soon as possible following an officer-involved shooting or other critical incident, so that an appropriate intervention can be facilitated in a timely fashion.
- 3.4. Agencies should consider developing a roster, with timely updates, containing the names and contact numbers of family members and significant others whom such personnel would like to have notified in the event that they are injured on duty and are unable to contact them personally. Officers should also identify two or three fellow officers, in order of preference, whom they would like to have contact their family or significant other when feasible if they are unable to personally make contact after a shooting or comparable critical event. Agencies should take steps to help prevent this information from being viewed by unauthorized personnel, and yet is readily available at the time of an incident. While it is preferable to have contact made by an officer who is known to family members, this may not be feasible and agencies should ensure that contacts with

family and significant others is made by personnel trained to make such notifications.

#### **4. At the Scene and Immediately Following**

- 4.1. Immediately after an officer-involved shooting or other critical incident, involved personnel should be provided physical and psychological first aid (e.g., emotional support, reassurance to involved personnel, assignment of a companion officer to any officer who is directly involved in a shooting and is separated from others pending investigative procedures). This support should be focused on calming physical and emotional stress and restoring and/or reinforcing the officers' sense of safety.
  - 4.1.1. Inasmuch as officers who did not fire their weapons are often overlooked in the aftermath of a shooting event, agencies should be mindful that "involved officers" may include not only those who fired their weapon, but also officers who were at the scene and either did not, or could not, fire their weapon. Such officers are often strongly impacted. It is possible that similar reactions by such officers may also take place following other critical incidents. This is not intended to expand the scope of rights that witness officers may or may not have with regard to the investigation, but should be strongly considered in providing support and mental health assistance to all "involved" personnel.
- 4.2. After providing needed public safety information, officers who fired a weapon or were directly involved in a critical incident should be encouraged to step immediately away from the scene and be transported to a safe and supportive environment by a trusted peer or supervisor. To ensure officers are not isolated once transported from the scene, whenever possible the agency should ensure there is a companion officer of the officer's choice, a chaplain, or a supportive peer available. Often the best support person is a fellow officer who is trained in peer support (see *IACP PPSS Peer Support Guidelines*), or has previously gone through an officer-involved shooting, who can be assigned to the officer immediately following the incident. If officers have an immediate need to talk about the incident, they should be encouraged to do so solely with individuals with whom they have privileged communication (i.e., attorney, chaplain, licensed mental health professional, and in some states, trained peer support personnel).

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  - 4.4.1. Officers not involved in the incident, but on duty at the time of the incident, should be allowed, as time permits, to contact their families and advise them that a shooting or other critical incident has occurred, but that they were not involved (or injured).
- 4.5. The investigative process and concerns over legal and administrative consequences are often the most stressful parts of an officer-involved shooting or other critical incident for involved personnel. The first few hours after a shooting or other critical incident is a potentially emotional and confusing time so officers may wish to consult their union and legal counsel. Whenever possible, officers should be educated on the protocol of the investigation as well as any potential actions by the media, grand jury, or review board prior to any formal investigative

interviews. It is equally important that, over time, officers be made aware of the progress of the investigation in a timely fashion.

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  - 4.6.1 Due to the overwhelming presence of social media, involved officers should be reminded of the risks to their presence on social media, as there may be unwanted others viewing their comments/postings/blogs. They should further be reminded that viewing media and/or community negativity through television and web-based postings may complicate post-incident thoughts and emotions.

## **5. Investigative Period**

- 5.1. Shootings and other critical incidents can result in heightened physical and emotional reactions for the participants that require a brief respite from work to marshal natural coping skills and manage the emotional impact of the incident prior to a return to duty. Consequently, agencies should develop a policy that addresses post-incident time off before an officer's return to his or her pre-incident assignment. Crafting such departmental policies for individuals involved in shootings and other critical incidents should be done with some flexibility in that some officers may be minimally impacted and may find prolonged leave counterproductive while others may require more time off. For those officers directly involved in a death or serious injury to another person, a minimum of three days leave, using either administrative leave or regular days off, should be granted. Agencies should also be mindful of those personnel who were present at the scene but, for example, did not discharge their weapons, as they are frequently emotionally impacted by the incident and may, in some cases, benefit from a period of administrative leave. It is important that officers and the public

understand that administrative leave is a routine procedure and not a disciplinary suspension.

5.2. While officers may be asked to provide pertinent information soon after a shooting to aid the initial investigative process, whenever feasible, officers should have some recovery time before providing a full formal statement. Depending on the nature of the incident, the demands on the agency, and the emotional and physical status of the officers, this can range from a few hours to several days. An officer's memory will often benefit from at least one sleep cycle prior to being interviewed leading to more coherent and accurate statements.<sup>34567</sup> Providing a secure setting, insulated from the press and curious coworkers, is important during the interview process.

5.3. Talking with trained peers who have had similar experiences can be quite helpful for officers involved in deadly force and other critical incidents. Often these personnel respond immediately on scene to provide support and psychological first aid. Trained peer support personnel may also be an asset by participating in post-incident group interventions in conjunction with a mental health professional trained and experienced in working with law enforcement. Family members of officers involved in shootings may also benefit from contact with a trained mental health professional and/or peer support, particularly from the family members of those who have previously been involved in shootings or other life-threatening events. The formation and administrative backing of peer support and outreach teams for officers and family members may prove to be a wise investment prior to an officer-involved shooting and other critical incidents. Only peer support team members who have received specialized training in crisis intervention and the rules of confidentiality promulgated by the department should be utilized. Peer support should only be ancillary to intervention by a mental health professional trained and experienced in law enforcement and officer-involved shootings or other critical incidents and should never take its place. (Please see *IACP PPSS Peer Support Guidelines* for information concerning the development and use of peer support teams.)

5.4. Timely communication from high-ranking administrators of their personal concern and support for officers involved in significant use-of-force and other critical incidents can provide an extra measure of reassurance and comfort. The administrator does not have to comment on the situation, or make further statements regarding legal or departmental resolution, but can show concern and

empathy for the officers during this stressful experience. These contacts, whether in person or via telephone, should be made as soon as possible after the incident.

- 5.5. To promote the dissemination of accurate information and quell unfounded rumors, as soon as practicable and to the extent allowed, a designated and informed person should brief the officers' supervisors and unit, followed by the agency as a whole, about the shooting and other critical incidents. Efforts should be taken to ensure distributed information is accurate. Furthermore, agencies should make every effort to expedite the completion of administrative and criminal investigations, keeping the officers informed in a timely manner, and notifying officers of the progress and outcome as soon as possible.
- 5.6. Significant use-of-force investigations are complex events and may involve an array of law enforcement and other government agencies. Continued communication among all parties throughout the course of an investigation protects involved officers by mitigating misunderstandings and conflict among the different interests and concerns.
- 5.7. Members of the community, including the media, would benefit from education regarding procedures, protocols, and human performance factors related to police use of force, especially deadly force encounters. It is recommended that police agencies assist these community education efforts by providing information about factors involved in police use of deadly force including officer safety issues and pertinent laws.
- 5.8. Unnecessarily lengthy investigations cause undue distress to officers. Agencies should make every effort to expedite the completion of administrative and criminal investigations. Departments that do not conduct their own criminal investigations and cannot control the length of time required to complete the investigation should meet with the investigating agency and prosecutor before a shooting and other critical incident occurs to work out the logistics in advance. While investigations are pending, supervisors should maintain regular contact with officers and keep them apprised of any pertinent developments.

## **6. Post-Shooting Interventions**

- 6.1. Post-shooting and other critical incident interventions should be conducted only by licensed mental health professionals trained and experienced in working with law enforcement personnel and familiar with officer-involved shootings and other

critical incidents. Care should be taken in selecting a mental health professional to ensure that he or she is well versed in the normal range of human reactions to critical incidents, and is competent in the education and treatment of trauma in a law enforcement population.

- 6.2. Some officers would choose not to participate in the post-shooting interventions provided by qualified mental health professionals, yet when required to participate, they often find it helpful.<sup>8</sup> In addition, some may be unaware of the potential impact of the incident and/or be sensitive to the stigma of seeing a qualified mental health professional, thus choosing not to participate. For these reasons, it is recommended that officers be required to participate in one individual post-shooting (or other critical incident) intervention with a qualified mental health professional so they can, at a minimum, be provided with basic education and coping skills to better manage their reactions. This does not mean that it should be mandatory for them to discuss the event with the mental health professional. Participation in the initial session is driven by the nature of the event, not the attribution of a manifest problem by the officer, and it should be emphasized that this session is not a disciplinary action. Any participation beyond attendance of the first session should be voluntary on the part of the officers.
- 6.3. After a life-threatening incident, officers are often concerned about how they reacted physiologically and emotionally, and whether these reactions were “normal.” Post-shooting and other critical incident interventions should be primarily educative as this reassurance reduces worry, anxiety, and negative self-assessment. Much of the time, the normalization and education provided during the post-shooting and other critical incident intervention regarding common changes to perception, attention and memory<sup>9</sup> affords sufficient support to facilitate resilience and individual coping abilities. If not adequately addressed, however, these reactions may lead to more severe and chronic problems requiring treatment services.
- 6.4. The initial post-shooting and other critical incident intervention should occur within one week after the shooting incident. The initial goal should be to reduce stress, assess and “normalize” any problematic post-incident reactions, and provide education regarding the management of any problematic post-incident reactions. Particular attention should be paid to maintaining sleep functioning, accessing social support, and avoiding excessive alcohol use. Officers should be

assisted in preparing themselves and their loved ones for inaccurate, negative or inflammatory comments in the media, including TV, print media, and the Internet.

- 6.5. It is recommended that officers not be required to return to work immediately following a post-shooting or other critical incident intervention session.
- 6.6. A single contact with a mental health professional may prove to be inadequate for officers who have been severely affected by a shooting or comparable event. Also, some officers may experience delayed onset of problems. The qualified mental health professional should informally assess, for the sole purpose of a voluntary referral, which officers may need additional or alternative types of support to further their recovery process. Follow-up sessions should be made available to every involved officer and, if appropriate, voluntary referrals may be offered for counseling and/or to peer support or chaplaincy programs.
- 6.7. Because delayed reactions may occur, all officers receiving an initial post-shooting and other critical incident intervention should receive follow-up contact by the mental health professional either via phone or e-mail sometime within the first month, and at four months post-incident. In addition, contact should be made prior to the first anniversary of the incident (and the potential for anniversary reactions should be discussed in the initial intervention).
- 6.8. It should be made clear that the individual post-shooting intervention is a confidential communication between the mental health professional and the officer involved. No information about the content of these sessions should be released without the officer's written authorization. The usual legal exceptions to confidentiality should be explained to all participants, including whether or not the confidentiality is legally privileged. The mental health professional should include an informed consent process before the intervention commences that contains a description of the possible benefits and risks of the intervention. In the case of an agency-required intervention, it should include a statement giving the mental health professional limited permission to verify the officer's attendance at the intervention session to the agency without revealing any further details of the intervention.
- 6.9. Life-threatening use-of-force and other critical incidents also have the potential to emotionally impact an officer's family and significant others, who often can provide valuable support to officers following these incidents. As long as confidentiality and privilege can be maintained, it can be beneficial for all

concerned to include such family members and significant others in the post-incident intervention process. If family members or significant others are invited, officers may have specific preferences about individual versus joint sessions, and mental health providers should give serious consideration to such preferences. The decision to conduct individual interventions followed by joint interventions, or joint interventions alone, should be decided by the officer and mental health provider.

- 6.10. It should be made clear to all involved personnel, supervisors, and the community at large that officers' fitness-for-duty should not be brought into question simply by virtue of their involvement in a shooting or other critical incident. Post-shooting and other critical incident psychological interventions are separate and distinct from any fitness-for-duty assessments or administrative or investigative procedures that may follow. This does not preclude an agency from requesting a formal fitness-for-duty evaluation based upon objective concerns about an officer's ability to perform his or her duties due to a suspected medical or psychological condition. However, the mere fact of being involved in a shooting does not necessitate such an evaluation prior to return to duty. (Please see *IACP PPSS Psychological Fitness-for-Duty Evaluation Guidelines* for information concerning the criteria and procedures for these evaluations.)
- 6.11. If a fitness-for-duty evaluation is requested, it should not be conducted by the mental health professional who provided the post-shooting intervention, or any other post incident counseling. However, as part of the post-shooting intervention, the mental health professional can assist officers in making decisions concerning returning to duty.
- 6.12. Group psychological interventions may be beneficial following incidents involving multiple personnel. All officers directly involved in the shooting incident should receive an initial individual intervention prior to the group session. Participants should be limited to persons who were involved in the event and attendance should be strictly voluntary but encouraged. Additional individual counseling referrals should be available and encouraged for those needing or wanting further assistance. Agencies should also consider the impact of deadly force and other critical incidents on all other involved emergency service personnel (e.g., dispatchers) and provide appropriate interventions consistent with these guidelines.

6.13. Group sessions may be jointly facilitated by one or more mental health professionals experienced in working with law enforcement and trained peer support personnel. The confidentiality of group sessions should be respected and some jurisdictions provide a degree of legal privilege to sanctioned peer support groups. Regardless of local laws, when information is processed in group settings, the risk of a breach of confidentiality is greater than in individual sessions conducted by licensed mental health professionals with whom officers have legal privilege. Although it is recommended that attendance at group sessions be voluntary, if attendance is mandated, any participation should be at the discretion of each officer (see 6.2).

## Endnotes

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<sup>1</sup> Best, S., Artwohl, A., & Kirschman, E. (2011) Critical Incidents in *Handbook of Police Psychology*, ed. Jack Kitaeff (New York: Routledge, Taylor and Francis Group, 2011), 491–507.

<sup>2</sup> Honig, A., & Lewinski, W.J. (2008). A survey of the research on human factors related to lethal force encounters: Implications for law enforcement training, tactics and testimony. *Law Enforcement Executive Research Forum*, 8(4), 129-152.

<sup>3</sup> Geiselman, R. E. (2010). Rest and eyewitness memory recall. *American Journal of Forensic Psychology*, 28(2).

<sup>4</sup> Diekelmann, S., Landolt, H.P., Lahl, O., Born, J., & Wagner, U. (2008). Sleep Loss Produces False Memories. *PLOS ONE*, 3 (10).

<sup>5</sup> Ellenbogen, J.M., Hulbert, J.D., Stickgold, R., Dinges, D.F., & Thompson-Schill, S.L. (2006). Interfering with Theories of Sleep and Memory: Sleep, Declarative Memory, and Associative Interference, *Current Biology*, July 2006.

<sup>6</sup> Stickgold, R., and Ellenbogen, J.M. (2008). Quiet! Sleeping Brain at Work, *Scientific American Mind*, August/September 2008, 19(4), 22-29.

<sup>7</sup> van der Helm, E., Gujar, N., Nishida, M., & Walker, M. P. (2011). Sleep-dependent facilitation of episodic memory details. *PLOS ONE*, 6(11): e27421.

<sup>8</sup> Honig, A., & Sultan, S. (2004). Reactions and resilience under fire: What an officer can expect. *The Police Chief*, 71 (12), 54-60.

<sup>9</sup> Artwohl, A. (2002). Perceptual and memory distortions in officer-involved shootings. *FBI Law Enforcement Bulletin*, 71 (10), 18-24.

# ***DEATH INVESTIGATION***

Case number:

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Incident date:

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Reporting Officer:

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Victim:

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Suspect:

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## **PATROL OFFICER'S DEATH INVESTIGATION WORKBOOK**

The preliminary investigation of a death and/or a homicide is multifarious. A tremendous amount of responsibility is placed upon the first arriving officer whose three main areas of immediate concern are:

**Sustaining the life of the victim.**

**Taking the suspected offender into police custody.**

**Ensuring crime scene protection.**

Because so many decisions are being made quickly, this death investigation workbook has been designed for several reasons. First, it is checklist of initial responsibilities, and secondly, it will act as a means of recording your actions so vital information does not slip through the cracks and go without documentation.

It goes without saying that the first officer arriving on the crime scene will be making numerous decisions quickly. Some of these decisions can greatly affect the final outcome of the investigation. Today, so much emphasis is placed upon the role and responsibility of a patrol officer who initiates a death and/or a homicide investigation. It is extremely important that the investigation be started on the right track.

Homicide detectives, most generally, will assume the investigation from you after they arrive and will become responsible for the case from that point forward. However, it is **YOU** who must lay the foundation for a successful investigation.

# INITIAL NOTIFICATION

[ ] Document the exact time you are first notified of the call.

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[ ] Document how you were notified. (Radio call, telephone call, in-person, etc.)

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[ ] If you were notified "in-person," request that the reporting person        wait until detectives arrive so sworn taped statements can be taken. If the person can not wait, gather full information for follow-up investigation.

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## **ROLE AND RESPONSIBILITY UPON ARRIVAL**

[ ] Document the exact time you arrived on the crime scene.

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[ ] Locate the victim. Establish a path of entry and exit to the victim's location. Fully document the path you made.

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[ ] Document the status of the victim. Is he/she alive or dead? If life appears to still be present, attempt to sustain life through first aid. Ensure that EMS is enroute.

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[ ] Document how the victim was identified to you. Was he identified by a friend, family member, ID card, etc.

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[ ] Carefully listen for any utterances the victim may make. (Dying declarations). Carefully document all relevant statements the victim may make.

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[ ] Gather suspect information. If the suspect is still on the scene, take him/her into police custody. Carefully record your probable cause for detention.

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[ ] If a suspect is taken into custody, document the exact time. If the suspect has fled, immediately initiate a BOLO. Request a BOLO # from the Communications Center for documentation.

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If fire rescue and/or EMS personnel were on the crime scene prior to police presence, you MUST find out who examined and treated the victim as well as to find out if for some reason any items were altered inside the crime scene. Full documentation must be made on any alteration(s) whether by you or by EMS and/or fire rescue.

[ ] Carefully describe any alterations and who they were made by and when.

[ ] Carefully describe why the alterations were made.

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[ ] Fully document all of the names, of fire rescue and/or EMS personnel or any person(s) who rendered medical aid to the victim.

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[ ] If the victim did not survive, document the exact time that death was pronounced and who officially pronounced the death.

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Often times it is necessary to enter a residence and/or a building for investigation. It is very important that, as we proceed in the investigation, we document everything we see as well as what we do as we go. You must remember, ALL alterations (including those which are considered as a matter of necessity) must be noted and recorded.

[ ] Document if doors are opened, or closed as you enter and go from room to room.  
Look for evidence of forced entry.

[ ] Document what lights are turned on or off.

Document what furniture and/or items may be strewn about or in disarray.

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Document which windows are opened and/or closed. Is there any sign of forced entry?

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Document which appliances are either turned on or off. Note whether or not any TV's are on or off.

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[ ] Note whether or not any ceiling fans are on or off.

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[ ] Document whether or not there is any prepared food on the table or stove.

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[ ] Document whether or not there are any animals living in the residence.

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Always examine the vehicle(s) at the residence. Note whether or not the hood is warm or cold.

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Fully document exactly what you observed when you viewed the body and note the location where the body was found.

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Fully describe and document any alterations or movement of the body, i.e., being cut down, rolled over, etc.

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# MAINTAINING CRIME SCENE PROTECTION

[ ] Quickly secure the crime scene by either utilizing yellow crime scene tape, cones, ropes, etc., to safeguard the scene from any further contamination. Note the exact time the scene was secured.

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[ ] Maintain crime scene integrity by removing all persons out of the secured crime scene area. List all names of everyone at the crime scene or who may have been in the crime scene before it was secured by tape.

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[ ] If the crime scene is extensive, request that additional units respond to the crime scene for assistance.

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[ ] If the victim is to be transported to the hospital, immediately notify a supervisor and request that you be allowed to accompany him to the hospital if the chances are very great that a dying declaration may be obtained. (However, never ever leave the scene unsecured.)

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# REQUESTING ADDITIONAL ASSISTANCE

[ ] On all death cases which are either suspicious or the manner is homicide, immediately request that a Major Crimes Detective respond to the scene. Note the exact time that detectives were notified and who notified them.

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[ ] If possible, use a telephone to relay information to the responding detective. Never use a telephone inside a crime scene to make your notifications.

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[ ] On all death cases, the Medical Examiner must be notified. Note the exact time that the ME's office was notified.

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[ ] If another law enforcement agency is contacted for any type assistance, fully document and record what assistance was requested, who was contacted and the final outcome.

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# PRELIMINARY INVESTIGATION RESPONSIBILITIES

[ ] As soon as possible, initiate a crime scene contamination log. ALL people, regardless of who they are MUST be recorded. All entry and exit times must be noted.

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[ ] Ensure that all responding personnel utilize the path of entry and exit you initially adopted. YOU MUST KEEP CRIME SCENE CONTAMINATION TO AN ABSOLUTE MINIMUM.

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[ ] You must keep all witnesses separate from each other until they have been interviewed by detective.

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[ ] Never allow a suspect to mingle with any witnesses.

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[ ] Never smoke, utilize toilets, run water or touch anything inside a crime scene. If you do, you MUST fully document what you did, why, and note the exact time.

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[ ] Note the exact time when detectives arrived on the scene. Conduct a briefing with them. Inform them of everything that has taken place prior to their arrival. Note whom you spoke to.

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# ACCIDENTAL AND SUICIDAL TYPE DEATHS

[ ] All deaths must be handled as a homicide until proven differently by detective. Fully note your observations.

[ ] Request that all witnesses remain at the scene until detectives arrive. (Or obtain ALL persons information)

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[ ] Secure the crime scene as you would a known homicide crime scene. Document the exact time it was secured.

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[ ] Immediately and effectively secure all evidence. This could be weapons, notes, drugs/medications, etc.

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[ ] Document the exact time that the Detective Bureau was notified and who you spoke with.

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[ ] In a hanging situation, NEVER cut down the victim unless there are some signs of life.  
(If a cut must be made always cut above the knot. The rope is evidence)

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[ ] Never allow any cars to depart the immediate crime scene until all vehicle information is documented and/or photographed.

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[ ] Obtain as much background as possible on the victim. This could be either from friends and/or any family members who may be at the scene.

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[ ] Observe and record all current weather conditions. Note the temperature, winds, degree of cloudiness, whether or not it is or has been raining, or if the sun is shining directly on the body.

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